

*"The Board is in the business
of consumer protection,
education &
communication."*

BBS News

CALIFORNIA BOARD OF BEHAVIORAL SCIENCES
Summer 2000

2000 - Strategic Plan

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Laws & Regulations on the BBS Website!

Although you may obtain a copy of the BBS Licensing Laws and Regulations from the Board, the booklet is also available on our website. After reaching our home page at <http://www.bbs.ca.gov> - select "Laws and Regulations" or "Forms and Publications".

One of the Board of Behavioral Sciences (Board) most important working documents is its Strategic Plan. The plan is intended to be a blueprint for serving the consumer, examination candidate, registrant, and licensee. The Board reviews and updates its Strategic Plan yearly in an effort to examine the progress made in all organizational areas. All goals support the mission and vision of the Board.

Objectives are established for each goal in an effort to identify progress and indicate those factors the board wishes to maintain, refine, or complete in the upcoming year. Each goal has an oversight committee who works closely with those objectives. Throughout the year committee agenda items will include discussion topics that pertain to the goal or objective from the strategic plan.

Goals are numbered in the the Board's strategic plan for reference only. Each goal has equal priority within the organization.

- | | |
|----------|--|
| GOAL I | Strengthen the examination process
(Examination Committee) |
| GOAL II | Increase consumer services and consumer protection by promoting
and maintaining competence and ethical behavior by the professions
(Consumer Services / Consumer Protection Committee) |
| GOAL III | Ensure the applicants for licensure meet the requirements prescribed
by law and regulation and streamline the application process
(Licensing / Education Committee) |
| GOAL IV | Simplify, clarify, and propose legislation and regulations
(Legislative Committee) |

Fee Reduction Planned

In 1998, the Board reduced its initial license and biennial renewal fees, as required by existing statute. After two complete renewal cycles, the Board has realized that these reductions have not adequately reduced its fund balance.

On February 1, 2000, the Board filed a notice with the Office of Administrative Law seeking to amend sections 1816, 1816.6, and 1816.7 of the California Code of Regulations to reduce the renewal, inactive, and delinquent fees for MFTs, LCSWs, and LEPs for a two year period. The proposed regulatory language will lower the biennial renewal, delinquent license, and inactive license fees to an amount not to exceed \$25.00, \$25.00, and \$12.50 respectively. These fees will be effective from January 1, 2001, through December 31, 2002. ❖

2000 Board Meeting Calendar

BOARD & COMMITTEES

(new date)

August 24-25, 2000 (Monterey)
November 9-10, 2000 (Burbank)

LCSW SUPERVISION & TRAINING COMMITTEE July 21, 2000 (San Diego)

Meetings are open to the public unless otherwise noted.

Dates and locations are tentative and subject to change.

Check our website at www.bbs.ca.gov for any date changes.

Attendance at Board meetings is encouraged and welcomed!

Board Member News

At its February meeting, the Board of Behavioral Sciences appointed Selma Fields as Chairperson and Marsena Buck as Vice-Chair.

Virginia Laurence was appointed by Governor Gray Davis as an LCSW Member in December 1999. She is a professor emeritus at California State University, Chico, where she has taught social welfare for 12 years. She currently serves as volunteer coordinator at Alta Bates Medical Center in Berkeley, a position she has held since 1995. Dr. Laurence earned her Bachelor of Science degree from the University of Oklahoma, and a master's degree and doctorate degree in social welfare at Columbia University.

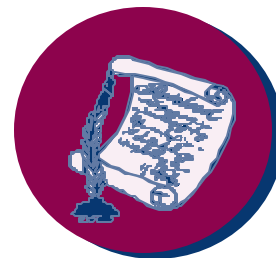
On June 1, 2000 Judy Brislain's and Lorie Rice's Board term appointments expired. Ms. Brislain has served on the Board since 1991 and Ms. Rice since 1992. We thank them both for their outstanding contributions during their term of service on the Board. They will be greatly missed. ❖

The Mission of the Board is to protect the consumer by establishing and maintaining standards for competent and ethical behavior by the professionals under its jurisdiction.

How Regulations are Adopted

Because many licensees or registrants may not be aware of the steps involved, we have provided an overview of how regulations become effective. All steps of the process are governed by detailed laws:

1. The process begins when a new law is enacted that requires new regulations, or when the Board adopts a policy change or recommendation, which requires that regulations be enacted.
2. The Board approves proposed regulatory language and, if potentially controversial, schedules a public hearing. On occasion, Steps 1 and 2 can occur at the same Board meeting.
3. The Board publishes a notice in the Office of Administrative Law's (OAL) *California Regulatory Notice Register* announcing the time and place of the public hearing and indicating where written comments may be sent. The notice contains a summary of the proposed regulation and other information required by law. The law requires that the notice be published at least 45 days before the close of the public comment period and the scheduled public hearing.
4. The Board holds the public hearing and receives comments from interested members of the public. After the hearing, the Board generally votes to formally adopt the proposed regulatory language or a revised version of the language.
5. If the Board adopts revised language, the new language must be sent to all who commented on the proposal or



who requested to be notified. These individuals have 15 days in which to provide additional comments. Sometimes the language is revised more than once, and the process must be repeated.

6. Board staff prepares the rulemaking file, which contains the final regulatory language, detailed justifications, responses to comments, and related documents in a format consistent with the legal requirements.
7. The rulemaking file is submitted to the Department of Consumer Affairs, which has 30 days to complete its review.
8. The rulemaking file is then submitted to the Office of Administrative Law, which conducts a review to determine if the regulatory language meets legal requirements and if the Board followed procedures correctly. The OAL has 30 business days in which to complete this final review. If the file is approved, the regulation is filed with the Secretary of State.
9. The regulation generally goes into effect 30 days after filing with the Secretary of State, unless the agency requests, and can show the need for, a different effective date. The effective date can be nine months to a year after the proposed regulation is approved by the Board (Step 2). Licensees and registrants are informed when new regulations go into effect by way of the Board's *BBS News* and website.

If you would like to be notified of proposed regulations, please contact Julie McAuliffe, Regulation Analyst at (916) 445-4933 ext. 1142. ❖

Citation Program up and running!

A citation is an alternative means by which the Board can impose a sanction and take an enforcement action against a licensed, registered, or unlicensed individual who is found to be in violation of a law or regulation governing the practice of marriage and family therapy, licensed clinical social work, or licensed educational psychology. The citation program increases the effectiveness of the Board's disciplinary process by providing a method to address violations which would not normally warrant license revocation, suspension, or imposition of probationary terms.

The Board's Executive Officer is authorized to determine when and against whom a citation will be issued, and to issue citations containing orders of abatement and fines for violations of the statutes and regulations enforced by the Board. Fines may range from \$100 to a maximum of \$2,500. In issuing an order of abatement or assessing the amount of the fine, the Executive Officer gives due consideration to several factors including the gravity of the violation, good or bad faith exhibited by the individual, complaint history, and the extent to which the cited individual cooperated with the Board's investigation.

Individuals who are issued citations have appeal rights under the law. The cited person may request an Informal Citation Review Conference (meeting with the Board's Executive Officer or her designee), and/or an administrative hearing conducted by an Administrative Law Judge. If the citation is not appealed, or the citation is sustained after appeal, the license/registration cannot be renewed until the fine is paid. When a citation becomes final, it becomes a permanent part of the individual's public record at the Board.

Since its inception in April 1999, the Board has issued 21 citations and one modified citation. Nearly half of all the citations issued were for breach of confidentiality. In addition, the Board

has issued citations for practicing with an expired license, misrepresentation as to the type or status of the license or registration, failure to report suspected child abuse, submitting fraudulent billings to EAP, advertising in a false or misleading manner, unprofessional conduct in terminating therapy, and misrepresentation of qualifications in supervision of a trainee. Several unlicensed individuals have been issued citations, fines, and orders of abatement for unlicensed practice, advertising themselves as performing the services of a marriage and family therapist, and using the title of MFT or LCSW after their name.❖

Active vs. Inactive vs. Expired

A licensee with an **active** license is one who has a current expiration date, has paid the renewal fees and met the CE requirement.

A licensee with an **inactive** license is one who has a current expiration date, has paid the inactive renewal fees and has requested an inactive status. A license can be renewed and remain on an inactive status indefinitely. CE is not required for an inactive license. However, a licensee may not practice with an inactive license.

A licensee with an **expired** license is one that has not paid the renewal fee by the expiration date and has not met the CE requirement. A license can remain expired for up to five years. A license that is not renewed within five years after its expiration date will be cancelled. Individuals holding cancelled licenses who wish to be licensed again must reapply, meet all current requirements, and pass the licensing examinations.❖

Remember CE — It's the Law

Remember to sign the CE declaration on your renewal application. A license is not considered renewed until all fees are paid in full and the CE declaration has been signed. If these conditions are not met, and the expiration date has passed, the license is deemed EXPIRED. It is illegal to practice with an expired license. If you are audited and found not to be in compliance with the CE requirements, the matter will be forwarded to the Board's enforcement program for possible disciplinary action.❖



What Happens When a License is Cancelled?

An MFT, LCSW or LEP license that is not renewed within five (5) years after its expiration date will be canceled. To be licensed again, the licensee will be required to reapply for a new license, meet all current requirements, and pass the licensing examinations.

Effective January 1, 1999, Business and Professions Code Section 4996.6 was amended to include the 5-year cancellation of LCSW licenses for failure to pay the renewal fee. This section is not retroactive, and the Board will not begin canceling LCSW licenses until after January 1, 2004.❖

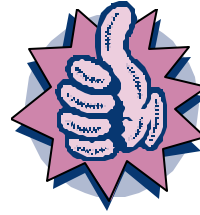
Live Scan Fingerprint Services

In the near future, the Board will begin utilizing Applicant Live Scan for its fingerprinting services. Applicant Live Scan is a system implemented by the Department of Justice (DOJ) for the electronic submission of fingerprints and the subsequent automated background check and response.

The use of Applicant Live Scan will enable the Board to process applications more efficiently by reducing response times from the DOJ and the Federal Bureau of Investigation (FBI). Previously, a minimum of 30 days was required to pass before the Board received a response from the DOJ, and up to 16 weeks for the FBI. With Applicant Live Scan, a response may be received in as little as 3 days from the DOJ, and 7-15 days from the FBI, for those with "no record." Applicants possessing a criminal history should expect an extended processing time.

Once an application is received and evaluated, a Request for Live Scan Service form with instructions and a list of Live Scan Service locations are mailed to the applicant. The applicant then visits or schedules an appointment with the closest Live Scan Service site. There are approximately 150 sites throughout California.

At the site, the Live Scan Operator will enter identifying information, scan the applicant's fingerprints, and collect appropriate fees. After successful electronic capture of the fingerprint images, the information is transmitted to the DOJ for processing. When the fingerprints are processed, the DOJ will send the response to the Board via electronic mail (search results are not provided at the Live Scan Service site).



Currently, the Board is awaiting final confirmation from the DOJ. Once we receive approval to move forward with Applicant Live Scan, all applicants will be required to submit fingerprints through the DOJ and the FBI (originally, FBI fingerprints were only required for those with out-of-state education or experience).❖

Additional Written Exam Testing Sites

Exporior Assessments, the test administrator for the Marriage and Family Therapist, Licensed Clinical Social Worker and Licensed Education Psychologist written examinations, has opened additional testing sites throughout California. There are now 10 locations where candidates can schedule their written examination. Most sites are open 9 - 5 Monday thru Friday and 8 - 12 on Saturday. The examination sites are:

Sacramento, Rancho Cordova, Alameda, Fremont, Fresno, Van Nuys, Cerritos, Colton, Los Angeles and San Diego.❖

Examination Calendar

	<i>Test Date</i>	<i>Final Filing Date</i>
MFT Written	Continuous testing	Allow up to 90 days for processing new applications
MFT Oral*	April 28-30, 2000 May 12-13, 2000 July 29-30, 2000 October 27-29, 2000 November 3-5, 2000	January 29, 2000 May 1, 2000 July 31, 2000
LCSW Written	Continuous testing	Allow up to 90 days for processing new applications
LCSW Oral*	April 7-9, 2000 July 28, 2000 October 20-21, 2000	January 8, 2000 May 1, 2000 July 31, 2000
LEP Written	Continuous testing	Allow up to 90 days for processing new applications
* Dates are tentative, contingent upon the availability of oral examiners, and may be canceled or added as needed.		
Registered Interns and Associates who have completed the required amount of supervised experience or who are in the examination process must continue to receive one hour of individual or two hours of group supervision per week until licensed (B&P Code sections 4980.01(d) & 4996.20(b)).		

Frequently Asked Questions from Candidates, Registrants, Licensees & Consumers

EXAMINATIONS

1. If my file is abandoned because I failed to participate in an exam within one year, can the Board make an exception in my case?

Answer: No. The provisions of this regulation do not allow exceptions.

2. Since the oral examination is given more often now, when will statistics be available for the most recent oral examination?

Answer: The statistics will be available every six months for the periods ending June 30th and December 31st and after the appeal process is completed, which is approximately 90 days after the results are mailed. As soon as the statistics are available, they will appear on our website.

3. My name has changed since I became eligible to take the written examination. Will Experior Assessment allow me to take the examination without my new name appearing on my driver's license?

Answer: No, unless you must submit a change of name form and required documentation to the Board as soon as possible. Your request should include a statement that your new name must be sent to Experior. Be sure to verify with Experior that your new name has been received, BEFORE you schedule an appointment to take the exam.

LCSW LICENSING

1. I applied for ASW registration on or after January 1, 1999, is the 10:1 supervision ratio in addition to the weekly supervision?

Answer: Yes. If you applied on or after January 1, 1999, you need to have a minimum of 1 hour of individual or 2 hours of group supervision per week, regardless if you have any client contact. Then for every 10 hours of direct face-to-face client contact you will need an additional 1 hour of individual or 2 hours of group supervision. The new Experience Verification form shows how to report the regular 3,200 hours and the 10:1 ratio.

2. When do I apply for my LCSW and send in my Experience Verification Form(s)?

Answer: When you have completed all of the requirements for the LCSW (i.e., 3,200 hours/24 months and all required course work). Once completed, you may obtain the LCSW application packet and send in all necessary documentation. Please do not send in your experience verification form(s) with your Supervisory Plans, Responsibility Statements or Termination forms. If the Board receives the experience verification form(s) prior to applying for the LCSW, they will be returned to the applicant.

MFT LICENSING

1. I have submitted my transcripts and fingerprints for Internship, do I need to resubmit these with my MFT application?

Answer: No. Duplication of this information is not necessary.

2. I have sent in photographs for my Internship application; do I need to resubmit these?

Answer: Yes. Two recent photographs are required for MFT applications.

3. Will the Board accept my MFT application if I submit a xeroxed copy?

Answer: Yes. However, original signatures are required on all forms, whether on white or pink paper.

CONTINUING EDUCATION

1. Are any CE classes mandatory?

Answer: Yes; two courses are mandatory.

(1) Alcohol and other chemical substance dependency (substance abuse)

The substance abuse course must be at least seven hours in length, and cover the historical and contemporary perspectives on alcohol and other drug abuse; extent of the alcohol and drug abuse epidemic and its effects on the individual, family and community; recognizing the symptoms of alcoholism and drug addiction; making appropriate interpretations, interventions, and referrals; recognizing and intervening

with affected family members; and learning about current programs of recovery and how therapists can effectively utilize these programs.

(2) HIV/AIDS

The HIV/AIDS course must be at least seven hours in length, and cover characteristics and method of assessment and treatment of people living with HIV and AIDS.

These are one-time requirements; therefore, if you have taken these courses in the past, or you can show proof of equivalent teaching or practical experience, this will meet the mandatory requirement. **However**, this coursework or experience shall not be credited as hours towards the 36 hour CE requirement. (Section 1887.3 (b) & (c))

2. How many hours can I obtain as homestudy?

Answer: A licensee may accrue no more than 1/3 (12) of the required hours of CE through home-study courses during a single renewal period. (If initial license, the maximum is six hours.)

3. Can I get a CE extension?

Answer: No, there is no provision in the law that allows for an extension of time to complete CE. However, an exception may be granted in certain circumstances. Please contact the Board for further exception regulation requirements.

LICENSE VERIFICATIONS

1. Does the Board release phone numbers for licensees?

Answer: No. Phone numbers are not public information.

2. Does the Board release a licensee's home or business address?

Answer: The Board releases the licensee's address of record regardless of whether it is a home or business address.

WWW.BBS.CA.GOV - Bookmark it!

The Board's website was originally launched in July of 1996. Since it's inception, we have made every effort to provide timely and up-to-date information on the website. Updates are made on a weekly basis and cover a variety of information such as licensee and enforcement statistics, changes in examination information, meeting notices, pending regulation, or legislation updates, etc.

We recently redesigned the website to provide faster loading, ease in navigation, and other cosmetic reorganization. A "Sitemap" or table of contents has been added to provide an overview of the website and link to each page.

Also available on our website is the on-line verification or otherwise known as our 'web look-up' feature. Individuals can check the status of a license or registration. The information is updated nightly from our mainframe system. It includes the name, license or registration number, county, and license status. This page can be found by clicking on "verify licenses" on our home page.

We are continuing to add additional documents under our "forms and publications" section. These documents, which are in a portable document format (PDF), use Adobe Reader software. This software is available through our website. The recent issue of the *BBS News* can be found under this section. Each issue from winter 1999 on will be available for downloading. In addition to the newsletter, the Board's Licensing Laws and Regulations, consumer complaint forms, applicant and examination material, and CE provider lists, are just some of the many other documents which can be downloaded.

The number of visitors or "hits" to our website site has increased dramatically over the past few years. A hit is counted each time a user requests a page on our website. We gather statistics as a tool to help us evaluate our effectiveness, as well as plan for future enhancements. As we work to make the Board's website a valuable, "user friendly" resource, we welcome any comments or suggestions you may have. Please feel free to email the Board's webmaster at BBSWebMaster@bbs.ca.gov. Below is a quick re-cap of statistics for March 2000 and the last two years: ❖

<u>Year</u>	<u>Total Hits of Entire Website</u>	<u>Top 5 pages accessed</u>	<u>Hits per page</u>
March 2000	51,601! Most hits in one month!	Home page	8,774
		Laws & Regulations	5,321
		On-line verifications	3,524
		Info on Forms and Publications	2,440
		Licensing Requirements	1,996
1999	271,701	Avg. per month: 31,000	
1998	179,187	Avg. per month: 26,000	

What do I do if I did not receive a renewal notice? Can I send in my payment without my renewal form?

You have a few options for submitting your renewal and fee. You can contact the Board and request to have a duplicate renewal notice sent to you, download a summary version of the renewal application from our website; or:

For active renewals - send your name, license number, social security number, current address, appropriate fee and the statement "I certify under penalty of perjury under the laws of the State of California that I have completed the required CE to renew my license" with your signature and the date to the board.

For inactive renewals - send your name, license number, social security number, current address, appropriate fee and the statement "Please renew my license with an inactive status" with your signature and the date to the board.❖

Enforcement Process Overview

The purpose of the enforcement disciplinary process is to assure quality psychotherapeutic care to the consumers of the State of California and to preserve high standards of practice in this jurisdiction. Through its enforcement staff, the Division of Investigation, and the Office of the Attorney General, the Board identifies and takes appropriate action against licensees and registrants, who through their conduct, expose themselves to disciplinary action.

All complaints are reviewed by the Board's enforcement staff. If a violation of law is suspected, the matter may be sent for investigation. After the investigative process, if it is determined that the subject's acts may constitute a violation of law, the matter may be submitted to the California Office of the Attorney General to determine whether sufficient evidence exists to file an Accusation. If it is determined that sufficient evidence exists, an Accusation is prepared and served upon the subject, and he or she is given the opportunity to request a hearing to contest the charges against him or her.

Acts which are subject to disciplinary action (that may result in revocation, suspension, or probationary status of a license) include, but are not limited to: unprofessional conduct, sexual misconduct, gross negligence, conviction of a substantially related crime, substance abuse, or use of drugs with a client, intentionally or recklessly causing harm to a client, practicing beyond the scope of the license, failure to maintain confidentiality, failure to adhere to reporting requirements, failure to obtain client consent for services, etc.

After an accusation is filed, the case may be resolved by a stipulated settlement. Stipulations are written agreements between the parties in which the person charged admits to certain violations and agrees that a particular disciplinary order may be imposed. Stipulations are subject to adoption by the Board.

If a stipulated settlement cannot be negotiated, a hearing is held before an Administrative Law Judge from the Office of Administrative Hearings. After the hearing is completed, the Judge issues a proposed decision, stating the findings (facts which were proven in the hearing), which is submitted to the Board for adoption as its decision in the matter. If the Board does not adopt the proposed decision, they can have the transcript of the hearing prepared and decide the case itself, based upon the administrative record. The respondent may petition for reconsideration if dissatisfied with the decision or proceed to file a writ of mandate with the appropriate Superior Court to contest the decision.

Final Decisions are a matter of public record and are available upon request. The complainant will be notified of the outcome of the case. The disciplinary process, from the time the complaint is received by the Board to the time a final decision is rendered, if the case goes to a hearing, may take up to two years. ❖

What Constitutes a Dual Relationship?

Dual relationships occur when a therapist and client engage in a separate and distinct relationship either simultaneously during the therapeutic relationship, or within a reasonable period of time following the termination of the treatment or therapy relationship. Though not all relationships can be avoided, the risk of exploitation of clients is high; therefore, they should be avoided whenever possible.

Not all social relationships (e.g., church, PTA, community organization, etc.) are problematic. Business relationships would require conscious, cautious rationale in order not to constitute a violation. ❖

Overview of Enforcement Activity 1999/2000 FY*

Complaints / Cases Opened

Complaints Received	460
Investigations Opened	47
Cases Sent to AG	26

Filings

Accusations Filed	26
Statement of Issues (SOI's) filed	6
Temporary Restraining Order	0
Interim Suspension Orders	0

Withdrawals/Dismissals

Accusations Withdrawn or Dismissed	1
SOI's Withdrawn or Dismissed	1

Disciplinary Decision Outcomes

Revoked	15
Revoked, Stayed, Susp & Probation	4
Revoked, Stayed, Probation	9
Surrender of License	5
Suspension	0
Susp., Stayed, Susp & Prob	0
Susp., Stayed Probation	0
Susp & Prob Only	0
License Probation Only	0
Reprimand / Reproval	0
Other Decisions	0
Total Decisions	33

Decisions (By Violation Type)

Fraud	1
Health & Safety	0
Sexual Misconduct	12
Competence / Negligence	1
Personal Conduct	10
Unprofessional Conduct	8
Unlicensed Activity	0
Other	1

* As of 3/31/00

DISCIPLINARY ACTIONS (7/1/1999 - 3/31/2000)

The status of the following disciplinary cases were updated as of 4/25/00. These decisions are subject to judicial review. For current information, please contact the Board office directly.

**BASKERVILLE-SMITH, MURIEL aka
DIGGS, MURIEL LUCILLE
MFT INTERN APPLICANT, Tracy, CA**

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee. Application for registration as marriage and family therapist intern is granted. Registration revoked, revocation stayed, three years' probation; psychological evaluation; supervised practice; psychotherapy; abstain from use of alcohol and drugs; submit to biological fluid testing. Eff. 9/8/99.

**CHARD-YARON, ROBERT
MFC 25239, San Diego, CA**

Charges: Unprofessional conduct; sexual misconduct; gross negligence or incompetence; intentionally or recklessly caused emotional harm to client; commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee; failure to maintain confidentiality. License voluntarily surrendered. Eff. 1/14/00.

**DE GREEF, CONNY
IMF 25553, San Juan Capistrano, CA**

Charges: Unprofessional conduct; gross negligence or incompetence. Intern Registration voluntarily surrendered. Eff. 1/14/00.

**DEMMERS, DANIEL GAREY
MFC 30604; Visalia, CA**

Charges: Sexual misconduct; intentionally and recklessly causing emotional harm to a client; failure to maintain confidentiality. License revoked. In the event respondent reappplies for either licensure or registration with the Board, a cost recovery sum of \$14,500.00 would have to be paid to the Board before any application would be considered. Eff. 11/5/99.

**DEMOS, GEORGE D.
MFC 284, Huntington Beach, CA**

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee; commission of dishonest, corrupt, or fraudulent acts substantially related to the qualifications, functions, or duties of a licensee. License revoked, revocation stayed, five years' probation; 60 days' suspension; remedial education; cost recovery of \$2,000.00. Writ of Mandate filed. Decision After Remand from Superior Court: Board's original decision shall be final decision except respondent shall not be required to serve an actual sixty day suspension. Decision ordered 8/6/99. Original Decision by board is retroactive to 7/1/98. License voluntarily surrendered. Eff. 4/6/00.



**FARASH, MARTIN J.
MFC 11711, Woodland Hills, CA**

Charges: Unprofessional conduct; gross negligence or incompetence; intentionally and recklessly causing physical or emotional harm to a client; sexual misconduct. License revoked, revocation stayed, five years' probation; 30 days' suspension; psychological evaluation; take and pass oral portion of MFT exam; cost recovery of \$4,000.00. Eff. 9/26/99.

**FOSTER, KAREN JEAN aka
FIMBREZ, KAREN JEAN
ASW 6363, LCSW 19505, Susanville, CA**

Charges: Unprofessional conduct; gross negligence or incompetence. ASW registration revoked, revocation stayed. License issued, revoked, revocation stayed. LCSW license placed on five years' probation; supervised practice; remedial education; cost recovery of \$2,500.00. Eff. 7/22/99.

**FELKER, MAUREEN ANN
LCS 14308, Beverly Hills, CA**

Charges: Unprofessional conduct gross negligence or incompetence; misrepresentation of license; intentionally or recklessly caused emotional harm to client; failure to maintain confidentiality; commission of any dishonest, corrupt or fraudulent act substantially related to the qualifications, functions or duties of a licensee; practicing on an expired license. License revoked, revocation stayed, 120 days' suspension, and five years' probation. Terms and conditions include: supervised practice; remedial education; take and pass the licensure exams; shall not act as a supervisor for any hours of supervised practice required for any license issued by the board; cost recovery of \$8,983.86. Eff. 2/23/00.

**FURST, THEIA H
MFC 12197, Los Angeles, CA**

Charges: Failure to comply with an order issued by the board, pursuant to Business and Professions Code 820, compelling respondent to submit to an examination to determine whether or not she was mentally ill to such an extent as to affect her ability to practice marriage, family and child counseling safely. License revoked. Eff. 9/13/99.

**GARDNER, JERRY SAMUEL
LCS 3941, Provo, UT**

Charges: Disciplined in another state; license was revoked in Utah. License revoked. Eff. 1/8/00.

GILLASPIE, ROBERT CHARLES
MFC 17333, Wheatland, CA

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee. License revoked, revocation stayed, five years' probation. Terms and conditions include: psychotherapy; shall not act as a supervisor for any hours of supervised practice required for any license issued by the board; cost recovery of \$6,522.50. Eff. 10/14/99.

GIRGIS, ALFRED
MFT Intern Applicant, IMF 35841, Los Angeles, CA

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee; applicant performed an act involving dishonesty, fraud, or deceit with the intent to substantially benefit himself or another, or substantially injure another. Registration granted, revoked, revocation stayed, two years' probation; psychological evaluation; psychotherapy. Eff. 9/17/99. Violation of Probation. Registration revoked. Eff. 5/26/00.

GLADDEN, NYLA MAXINE
LCS 14328, Berkeley, CA

Charges: Sexual misconduct; gross negligence or incompetence; intentionally or recklessly caused emotional harm to client. License revoked. Cost recovery of \$10,644.00. Eff. 3/10/00.

GLICK-SCROGGINS, BETH ANN
MFC 18871; Alameda, CA

Charges: Gross negligence or incompetence; aiding and abetting any unlicensed person to engage in conduct for which a license or registration is required; intentionally or recklessly caused emotional harm to client; commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee; failure to maintain confidentiality. License voluntarily surrendered. In the event respondent reapplies for either licensure or registration with the Board, a cost recovery sum of \$1,500.00 would have to be paid to the Board before any application would be considered. Eff. 12/31/99.

GUNN, JAMES P.
MFC 19481; Santa Maria, CA

Charges: Sexual misconduct; gross negligence; intentionally and recklessly causing emotional harm to a client. License Revoked; cost recovery of \$15, 557.25. Eff. 8/15/99. Writ of Mandate filed and denied by with Superior Court 2/24/00.

HALON, ROBERT LEON
MFC 6278; San Luis Obispo, CA

Charges: Unprofessional conduct; gross negligence or incompetence; failure to report child abuse; commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee. License revoked, revocation stayed, three years' probation. Terms and conditions include: supervised practice; remedial education; examination(s) imposed by the Board of Psychology; shall not act as a supervisor for any hours of supervised practice required for any license issued by the board; cost recovery of \$500.00. Eff. 10/22/99.

HAYSE, RAYMOND II
ASW 9217, Highland, CA

Charges: Did not meet educational requirements. Registration revoked. Eff. 2/21/00.

Disciplinary Terminology

Charges: The violations that the respondent has allegedly committed which are in the accusation.

Respondent: The licensee or registrant who is the subject of the disciplinary action.

Revocation: License or registration is canceled and the right to practice ended.

Suspension: Respondent prohibited from practicing for a specific period of time.

Stayed: Revocation or suspension postponed and respondent put on probation.

Probation: Respondent may continue to practice under specific terms and conditions.

Voluntary Surrender: Respondent turns in the license or registration while charges are still pending - right to practice is ended.

Effective Decision Date: Date the disciplinary decision goes into operation.

Public Reprimand: Respondent issued a letter of reprimand resulting from a disciplinary action or pursuant to B&P Code section 495.

Writ of Mandate: Respondent appealed decision to the superior court.

Stay: The Board or superior court ordered the Board's decision to not be enforced pending further action.

DISCIPLINARY ACTIONS (CONT'D.)

HINN, GEORGE HOPKINS

MFC 8418; Gilroy, CA

Charges: Unprofessional conduct; gross negligence or incompetence; intentionally or recklessly caused emotional harm to client; aiding or abetting of unlicensed practice of marriage, family and child counseling. License revoked. Eff. 12/1/99.

HOSKINS, PAMELLA J.

MFC 20128, Anaheim, CA

Charges: Gross negligence or incompetence; intentionally or recklessly caused emotional harm to client. License revoked, revocation stayed with one-year probation. Terms and conditions include: remedial education; shall not act as a supervisor for any hours of supervised practice required for any license issued by the board; cost recovery of \$2,000.00. Eff. 3/23/00.

JOYNER, NICHOLAS C.

IMF 23832, San Francisco, CA

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee. MFCC intern registration revoked. Eff. 9/24/99.

KINNAMON, ELEANOR

ASW ; San Jose, CA

Charges: Sexual misconduct; gross negligence or incompetence; intentionally or recklessly caused emotional harm to client. Registration revoked. Eff. 11/5/99.

KOPPES, MOTY

IMF 26948, MFC APPLICANT, Newport Beach, CA

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a registrant; inability to practice due to mental illness. Registration revoked. Application for Marriage and Family Therapist denied. Eff. 10/2/99. Writ of Mandate filed. Writ denied 2/28/2000.

LEE, PATRICK CHARLES

MFC 22705, Grover City, CA

Charges: Unprofessional conduct; gross negligence or incompetence; intentionally and recklessly causing physical or emotional harm to a client. License revoked, revocation stayed, five years' probation; shall not accept as a client/patient anyone who might reasonably be determined to be suffering from Multiple Personality Disorder; supervised practice; cost recovery of \$3,000. Eff. 8/15/99.

LEWIS, ANDREW HOWARD

MFC 14083, Los Gatos, CA

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee. License revoked, revocation stayed, 60 days' suspension, and five years' probation. Terms and conditions include: psychological

evaluation; supervised practice; remedial education; shall not act as a supervisor for any hours of supervised practice required for any license issued by the board; shall not engage in any medical billing; cost recovery of \$2,200.00. Eff. 2/23/00.

LILLE, JEFFREY JAY

LCS 8729, San Luis Obispo, CA

Charges: Unprofessional conduct; sexual misconduct; gross negligence or incompetence; self use of drugs; commission of dishonest, corrupt or fraudulent act. License revoked, revocation stayed, 180 days' suspension, five years' probation. Terms and conditions include: psychological evaluation; psychotherapy (if recommended by psychological evaluation report) practice monitor; education coursework; oral exam; shall not employ or supervise psychological assistants, interns or trainees; abstain from drugs and submit to test and samples; cost recovery of \$3,300.00. Eff. 2/20/00.

MILLER, LINDA J.

MFC 29656; Clovis, CA

Charges: Unprofessional conduct; administering to herself controlled substances specified in Section 4211 (in this case – cocaine and heroin). License revoked. Eff. 11/5/99.

O'CONNOR, GAYLE LEE

IMF 32389, Glendale, CA

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee or registrant. Registration revoked. Eff. 1/13/00.

PLANK, JUDY aka

PLANK, JUDY A. aka PLANK, JUDITH ANNE

IMF 26493, Davis, CA

Charges: Unprofessional conduct; sexual misconduct; gross negligence or incompetence; intentionally or recklessly caused emotional harm to client. Registration revoked. Eff. 1/7/00.

PRINCE, JONATHAN SWOPE

LCS 5196, Laguna Beach, CA

Charges: Sexual misconduct; gross negligence or incompetence; intentionally or recklessly caused emotional harm to client. License revoked. Cost recovery of \$14,449.00. Eff. 2/21/00.

REINKING, ROBIN LEANNE aka

MILES, ROBIN LEANNE aka BESST, ROBIN LEANNE **MFC 17224, Auburn, CA**

Charges: Gross negligence or incompetence; intentionally and recklessly causing physical or emotional harm to a client. License voluntarily surrendered. In the event respondent reapplies for either licensure or registration with the Board, a cost recovery sum of \$5,000.00 must be paid to the board before any application will be considered. Eff. 9/23/99.

ROSEN, STEPHEN CLARK**MFC 13523, Reseda, CA**

Charges: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee. License revoked. Eff. 2/20/00.

ROSNER, JOSEPH**MFC 348, LCS 520; Los Angeles, CA**

Charges: Unprofessional conduct; gross negligence or incompetence; intentionally or recklessly caused emotional harm to client; commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee; failure to maintain confidentiality. Both licenses revoked, revocation stayed five years' probation. Terms and conditions include: compliance with disciplinary order issued by the Board of Psychology, Case No. W-154; shall not act as a supervisor for any hours of supervised practice required for any license issued by the board; notification to clients and employers; cost recovery of \$500.00. Eff. 12/1/99.❖

What is the Proper Way to Advertise?

California law prohibits any advertising that is false, misleading, or deceptive. Any professional advertising must clearly indicate (1) the full name of the licensee and licensure status by including the complete name of the license or (2) the full name of the licensee and the initials of the appropriate license AND the license number. Academic credentials, so long as they are earned and relevant to the license may be included. The use of the academic qualification must not imply the provision of services that would be beyond the scope of the license.

To avoid confusion, any unlicensed person practicing under supervision should include the complete name of the registration (e.g., Marriage and Family Therapist Intern or Associate Clinical Social Worker), AND the registration number, AND the name and correct licensure status of the supervisor.

Marriage and Family Therapists, Licensed Clinical Social Workers and registrants/ associates **MAY NOT ADVERTISE AS PSYCHOLOGISTS OR AS PROVIDERS OF PSYCHOLOGICAL SERVICES UNLESS THEY ALSO HOLD A PSYCHOLOGY LICENSE.** Licensed Educational Psychologists may advertise as psychologists provided they clearly show they are EDUCATIONAL psychologists.❖

Summer 2000

Board of Behavioral Sciences Directory

Board Office**(916) 445-4933**

All of the following phone numbers are the same as the main number, however the extensions are different.

<u>General</u>	<u>Extension No.</u>
License Status / Verification	1002
Request Applications, Forms, Laws & Regulations	1800
Certifications & Deferments	1025
Address or Name Changes	1113
CE, CE Providers, MFT Referral Services	1008
Renewals	1322

Examination Program

Special Accommodations	1018
Oral Examination Appeals,	1234
Initial Licenses, Oral Examiner Training	1029
Subject Matter Experts (SME), workshops	1242

Licensing Program

MFT Intern Evaluator	1121
MFT Evaluator (A-L)	1122
MFT Evaluator (M-Z)	1124
ASW Evaluator	1030
LCSW Evaluator	1005
LEP Evaluator	1025

Enforcement Program

Complaint Form & Information	1241
Disciplinary Hot Sheets, Probation Monitor	1402

BBS Website <http://www.bbs.ca.gov>
 BBS WebMaster email BBSWebMaster@bbs.ca.gov

Record Keeping Required

Recent legislation effective January 1, 2000, requires licensees to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered. Licensees can check with their malpractice carriers or managed care organization to inquire what records should be kept and for how long. Licensees can also refer to their professional association for guidelines on record keeping.

BBS CHANGE OF ADDRESS REQUEST FORM

Please type or print clearly in ink. Be sure to provide all information. Allow 30 days for processing.

LICENSE OR REGISTRATION NUMBER(S) (indicate **all** BBS licenses and/or registrations and their types to which this change applies):

NAME (as it appears on your license or registration):	SSN or FEIN (not required of PCEs):
FORMER ADDRESS: CITY / STATE / ZIP: TELEPHONE:	NEW ADDRESS: CITY / STATE / ZIP: TELEPHONE:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

ORIGINAL SIGNATURE:	DATE:
<input type="checkbox"/> I would like to order a replacement wall license or registration certificate that will reflect my new address - \$20.00 FEE. (Include the fee and your old license or registration certificate with this Change of Address Request Form. Requests for a replacement certificate received without the fee or certificate cannot be processed; however, your address will still be updated.)	

Please note that your address of record with the Board (the address displayed on your license, registration or application) is public information and is released to the public upon request and will be placed on the Board's website.

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